

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>TIMOTHY DEWAYNE GULLETT,</b>	:	
<b>Plaintiff,</b>	:	
<b>v.</b>	:	<b>CIVIL ACTION: 11-00081-KD-N</b>
<b>ROGER GOODMAN, <i>et al</i>,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all pleadings in this file, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 and dated August 6, 2012 is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the Defendants' Motion to Dismiss (Doc. 17) is **GRANTED** and that this action is **DISMISSED with prejudice** on the basis of issue preclusion and claim preclusion.

**DONE and ORDERED** this the 30<sup>th</sup> day of **August 2012**.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**